

REMARKS/ARGUMENTS

1.) Claim Amendments

No claims have been amended by the Response. Accordingly, claims 29-50 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

2.) Claim Rejections – 35 U.S.C. § 103 (a)

Claims 29-30, 49-50 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Jung (WO 01/56249) in view of Haas (US 5,115,432). Applicant respectfully disagrees.

The present invention teaches in one embodiment, a method of failure avoidance when synchronizing a transceiver end and a receiver end by means of transmitted sequence numbers, each sequence number not necessarily being further error protected, the method characterized in that a received sequence number considered erroneous according to a predetermined criterion is disregarded. (See Applicant's Specification, page 15, lines 12-18)

In contrast neither Jung nor Haas teaches "synchronizing a transceiver end and a receiver end by means of transmitted sequence numbers...wherein a received sequence number considered erroneous according to a predetermined criterion is disregarded." The Examiner concedes that Jung fails to teach that a received sequence number considered erroneous according to a predetermined criterion is disregarded. (See Office Action dated June 13, 2007, page 3, lines 7-8)

Applicant respectfully submits that Haas also fails to teach "synchronizing a transceiver end and a receiver end by means of transmitted sequence numbers...wherein a received sequence number considered erroneous according to a predetermined criterion is disregarded." In particular, Haas clearly fails to teach that its sequence numbers are used to synchronize a transceiver end and a receiver end as recited in independent claim 29. Instead Haas teaches parallel processing of sequence number and associated data in order to properly present data to application 505 using connector 501. (See Haas, Figure 5)

Clearly Haas does not teach synchronization using its sequence numbers. Thus, any combination between Jung and Haas would not accomplish what is recited by Applicant's claims, namely, "synchronizing a transceiver end and a receiver end by means of transmitted sequence numbers...wherein a received sequence number considered erroneous according to a predetermined criterion is disregarded."

Therefore, the combination of Jung and Haas fails to teach the invention as claimed. Applicant submits that claims 30, 49, and 50 are patentable at least by virtue of depending from their respective base claims. Withdrawal of the rejection is respectfully requested.

Claims 31-32 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Jung (WO 01/56249) in view of Haas (US 5,115,432) and further in view of Shiu, *et al.* (US 2003/0036403). Claims 33-34 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Jung (WO 01/56249) in view of Haas (US 5,115,432) and further in view of Fuehrer, *et al.* (US 2004/10156462). Claims 35-48 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Jung (WO 01/56249) in view of Haas (US 5,115,432) and further in view of Jiang, *et al.* (US 2002/0126629).

As established supra, Jung and Haas fail to render claims 29 obvious because the cited references fail to teach "synchronizing a transceiver end and a receiver end by means of transmitted sequence numbers...wherein a received sequence number considered erroneous according to a predetermined criterion is disregarded." Shiu, Fuehrer and Jiang also fail to teach that claim limitation. Therefore, whereas claims 31-48 are dependent from claim 29, and include the limitations thereof, the Examiner has failed to establish a prima facie case of obviousness for those claims.

CONCLUSION

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,



Thomas Bethea, Jr.
Registration No. 53,987

Date: September 13, 2007

Ericsson Inc.
6300 Legacy Drive, M/S EVR 1-C-11
Plano, Texas 75024

(972) 583-5497
thomas.bethea.jr@ericsson.com